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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND BRANCH

17 UNITED STATES OF AMERICA,) No. MJ 12-71312 MAG
18 Plaintiff,)
19 v.) STIPULATION AND ~~PROPOSED~~
20 JOHN LEE COBB,) ORDER TO SET PRELIMINARY
21 Defendant.) HEARING OR ARRAIGNMENT
22) ON MARCH 8, 2013

23 The above-captioned matter was previously set on February 4, 2013 before
24 Magistrate Judge Donna M. Ryu for a preliminary hearing or arraignment. The parties
25 request that this Court set this matter for a preliminary hearing or arraignment on March
26 8, 2013 at 9:30 a.m., and that the Court exclude time under the Speedy Trial Act between
27 February 4, 2013 and March 8, 2013. The parties stipulate that the time is excludable
28 from the time limitations of the Speedy Trial Act because the interests of justice are
served by granting a continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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Such continuance is required because the government has produced discovery, and defense counsel needs time to review the discovery and, in addition, research legal and factual issues. This continuance will allow the reasonable time necessary for effective preparation taking into account the exercise of due diligence.

As such, the parties respectfully request that the time between February 4, 2013 and March 8, 2013 be excluded under U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: January 31, 2013

Respectfully submitted,

MELINDA HAAG
United States Attorney

/s/
RODNEY C. VILLAZOR
Assistant United States Attorney

/s/
JOYCE LEAVITT
Attorney for John Lee Cobb

ORDER

Based on the reason provided in the stipulation of the parties above, the Court hereby FINDS that for adequate preparation of the case by all parties, and in the interest of justice, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), an exclusion of time is warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY ORDERED THAT the hearing is continued until March 8, 2013 at 9:30 a.m. before the Magistrate Court, and time is excluded until March 8, 2013.

IT IS SO ORDERED.

DATED: 1/30/13

Kandis Westmore
KANDIS A. WESTMORE
United States Magistrate Judge

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